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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.  | CONFIRMATION NO. |
|-----------------|-------------|----------------------|----------------------|------------------|
| 10/734,380      | 12/12/2003  | Satchidanand Mishra  | D/A2582 XERZ 2 00610 | 9765             |

7590 01/11/2006

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| EXAMINER |
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NOTE, JANIS L

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| ART UNIT | PAPER NUMBER |
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1756

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1756

1. The request to correct the inventorship of this nonprovisional application under 37 CFR 1.48(a) is deficient because:

An oath or declaration by each actual inventor or inventors listing the entire inventive entity has not been submitted.

The declaration filed on Dec. 21, 2005, lists the inventor "John F. Yanus," who is not listed on the three declarations previously filed on Dec. 12, 2003, Apr. 22, 2004, and Feb. 11, 2005. The three previously filed declarations list the inventor "Jack Yanus."

Furthermore, it is also noted that the declaration filed on Dec. 21, 2005, and the three previously filed declarations list the inventor "Geoff Foley." However, the signature on the declaration filed on Dec. 21, 2005, and the two previously filed on Dec. 12, 2003, and Apr. 22, 2004, appears to read "Geoffrey M.T. Foley." The name "Geoff" appears to be an abbreviation for the name "Geoffrey." 37 CFR 1.63(a)(2) requires that the declaration "identify each inventor by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial" (emphasis added). Thus, the oath or declaration filed on Dec. 21, 2005, is defective because the full name of each inventor (family name

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and at least one given name together with any initial) has not been set forth. See MPEP 605.04(b).

Moreover, the declaration of Robert C.U. Yu filed on Dec. 21, 2005, is deficient, because it does not include the date of execution.. Furthermore, that declaration incorrectly states that a declaration was filed on Dec. 16, 2002. However, the instant application was filed on Dec. 12, 2003. As noted above, in this application, declarations were filed on Dec. 13, 2003, Apr. 22, 2004, and Feb. 11, 2005.

Applicants are reminded that if the individual is the same, but the name "Jack Yanus" was incorrectly given in the previously filed declarations, a petition under 37 CFR 1.182 should be filed requesting correction of applicant's name. The petition should be directed to the attention of the Office of Petitions. Since amendments are not permitted after the payment of the issue fee (37 CFR 1.312), a petition under 37 CFR 1.182 to change the name of the inventor cannot be granted if filed after the payment of the issue fee. See MPEP 605.04(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janis L. Dote whose telephone number is (571) 272-1382. The examiner can normally be reached Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Mark Huff, can be reached on (571) 272-1385. The central fax phone number is (571) 273-8300.

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Any inquiry regarding papers not received regarding this communication or earlier communications should be directed to Supervisory Application Examiner Ms. Claudia Sullivan, whose telephone number is (571) 272-1052.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Janis L. Dote*  
JANIS L. DOTE  
PRIMARY EXAMINER  
GROUP ~~1500~~  
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JLD

Jan. 6, 2006